

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN DOE,  
Plaintiff,  
v.  
COUNTY OF SONOMA, et al.,  
Defendants.

Case No. 16-cv-05195-JD

## **ORDER RE MOTION FOR APPOINTMENT OF COUNSEL**

Re: Dkt. No. 51

In this Section 1983 action, pro se plaintiff John Doe requests that the Court appoint counsel to represent him for all purposes. Dkt. No. 51. The request is denied.

There is no constitutional right to counsel in a civil case. *Lassiter v. Dep’t of Social Servs.*, 452 U.S. 18, 25 (1981); *Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009). There is also no constitutional right to a court-appointed attorney in Section 1983 cases. *Rand v. Rowland*, 113 F.3d 1520, 1525 (9th Cir. 1997) (citing *Storseth v. Spellman*, 654 F.2d 1349, 1353 (9th Cir. 1981)). In “exceptional circumstances,” the Court may appoint counsel for indigent civil litigants under 28 U.S.C. § 1915(e)(1), *Palmer*, 560 F.3d at 970 (quotation omitted), but those circumstances are not present here. Plaintiff has demonstrated adequate competency in articulating his claims and litigating this case. The issues are not exceptionally complex in any legal or factual way, and the Court cannot at this stage find a likelihood of success on the merits. While plaintiff may have at times experienced mental health issues, he has not shown that he is incapable of litigating this case on his own, and the record in the case indicates otherwise.

## IT IS SO ORDERED.

Dated: April 10, 2019

JAMES DONATO  
United States District Judge